

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

EUGENA LOTT,

Plaintiff,

vs.

WAL-MART, INC.,

Defendant.

Case No. 13-cv-504-DRH-DGW

MEMORANDUM AND ORDER

HERNDON, Chief Judge:

Pending before the Court is defendant Wal-Mart's motion to dismiss plaintiff's complaint (Doc. 10). Plaintiff Eugena Lott's response to defendant's motion was due on or before April 17, 2014. Plaintiff failed to respond. The Court hereby deems plaintiff's failure to respond to defendant's motion as an admission of its merits. SDIL-LR 7.1(c), 7.1(g). Accordingly, defendant's motion to dismiss plaintiff's complaint is **GRANTED** (Doc. 10). Plaintiff's complaint is dismissed without prejudice for failure to respond. This file is closed.

IT IS SO ORDERED.

Signed this 29th day of April, 2014.

Digitally signed by
David R. Herndon
Date: 2014.04.29
14:40:18 -05'00'

**Chief Judge
United States District Court**